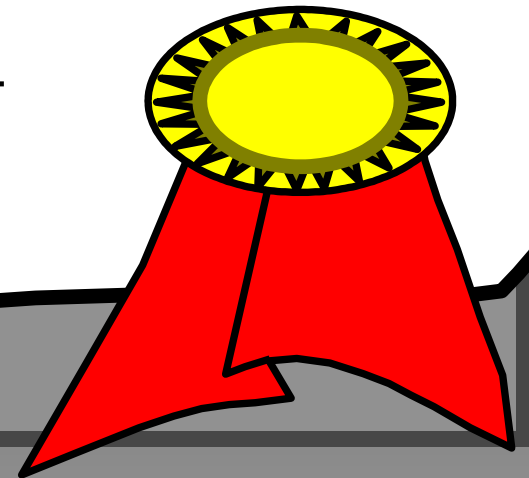


Contractual Instruments

**Contingency
Contracting**

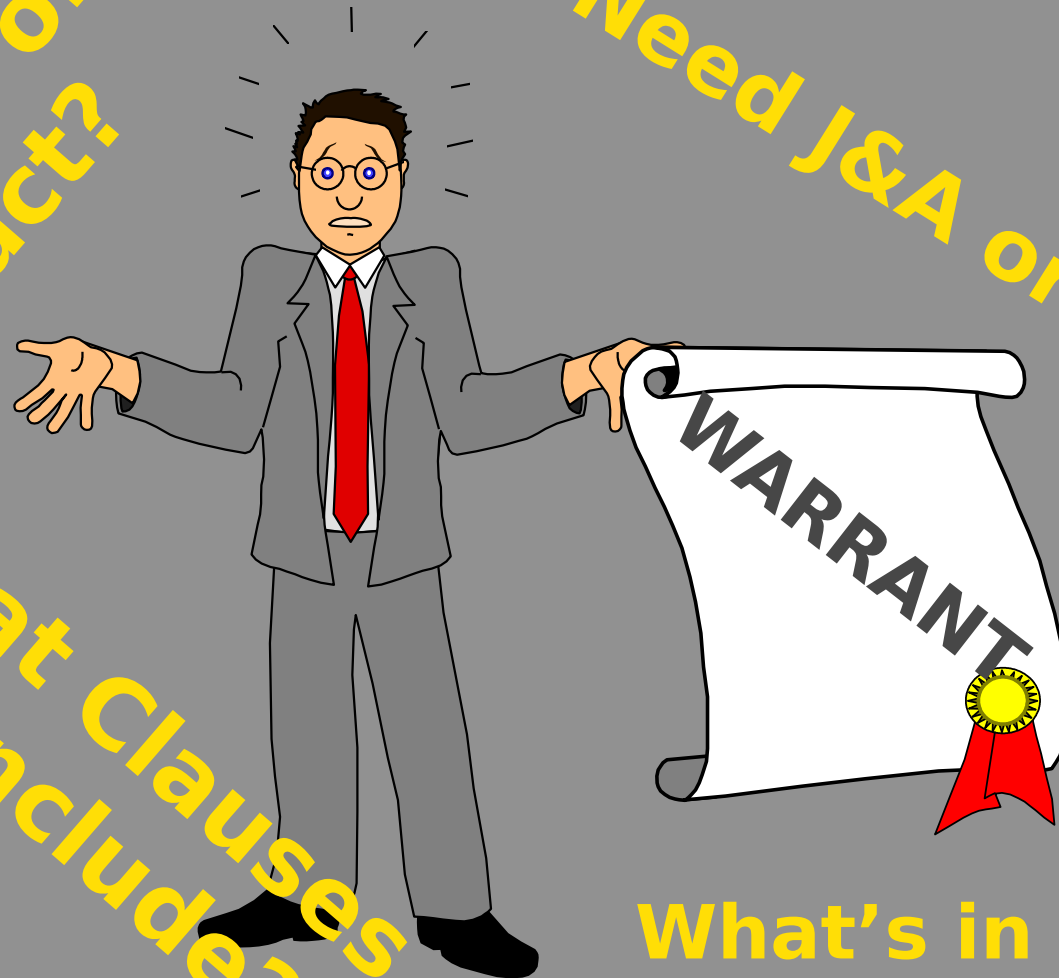


Who Will Write the contract?

What Type of Contract?

What Clauses to Include?

Need J&A or D&F?



What's in a BPA?

Lesson

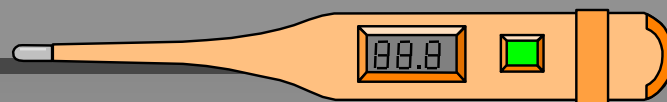
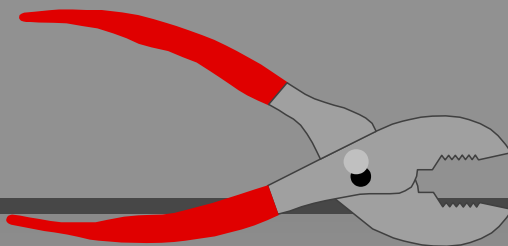
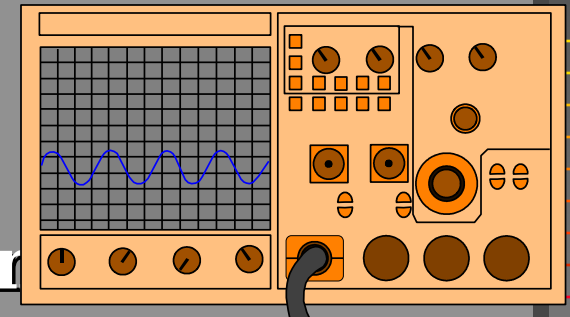
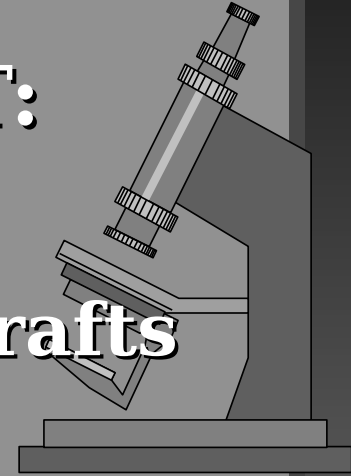
Objectives

- List, describe and properly apply, using *automated resources*,
 - procurement instruments available in a contingency environment
 - documents required to support contract instruments.
- List, describe and prepare reports of procurement actions using *automated resources*.
- Establish internal control procedures for the proper administration of the Contingency Contracting Office.

Types of Instruments

■ Requirements below the SAT:

- PIIN Assignment
- Imprest Fund / Third Party Drafts
- SF44
- GCPC (was IMPAC)
- Purchase Order (PO)
- Blanket Purchase Agreement



PIIN

Assignment

NAME	POSITION
Activity Address	1-6
FY	7-8
Type of Instrument	9
Serial Number	10-13
Amendment, Modification, BPA Call, or Delivery Order Numbers	Supplemental (4 to 6 alpha- numerics)

Example?

..

N00062-99-C-0001

Contracting Unit Identification Fiscal Year Proc. Type Serial Number

Imprest Fund

- Transaction limit
\$500
- Increases to \$2,500
in a contingency
- Simultaneous order
placement and item
delivery
- No detailed specs or
technical inspections



Third Party

Drafts

- Same rules as Imprest Fund, except:
 - Transaction limit \$2,500
 - Increase only as authorized via Treasury restrictions
 - Usually check (not cash) transaction



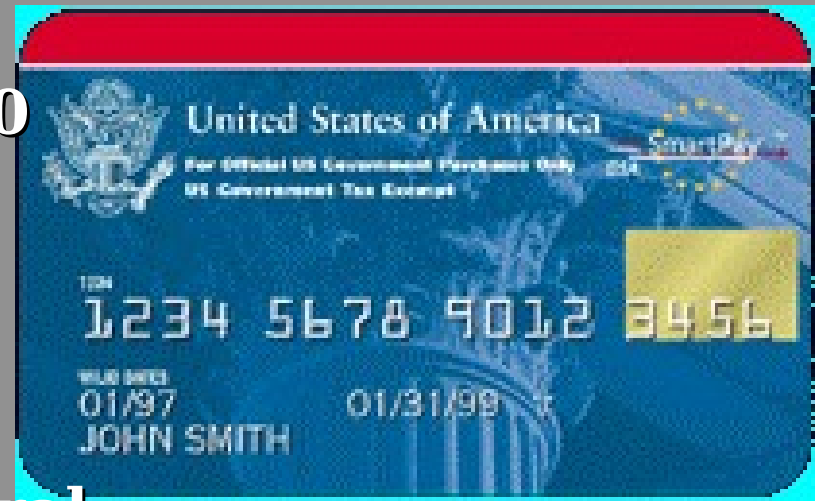
SF 44

- Multipurpose form
- Transaction limit \$2,500
- Up to SAT for “urgent and compelling” or “declared contingency”
- Supplies must be immediately available
- One delivery, one payment



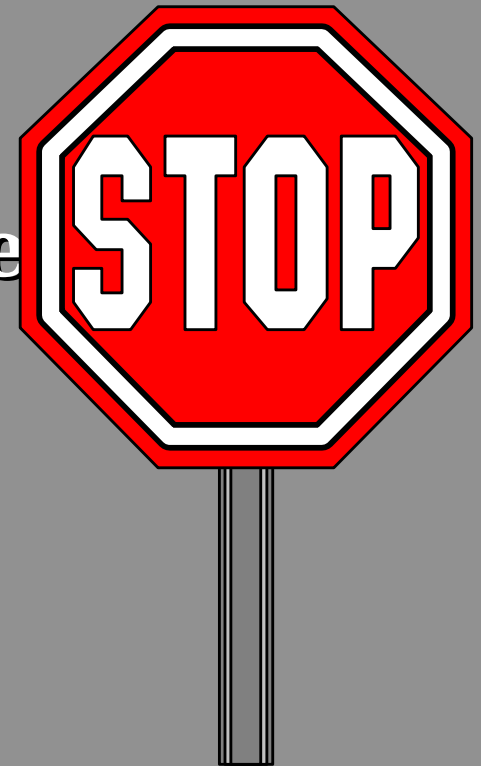
Government-wide Commercial Purchase Card (GCPC)

- Also known as IMPAC
- Transaction limit \$2,500 (US)
- Transaction limited to \$25,000 (OCONUS)
- Up to SAT for GSA Federal Supply Schedules
- Up to SAT as payment method in conjunction with other purchase methods



GCFC Prohibited Uses

- **Incrementation**
- **Cash advances**
- **Rental/Lease of real estate**
- **Telecommunications**
- **Service specific prohibitions**
 - **For example: Navy restrictions**



Purchase

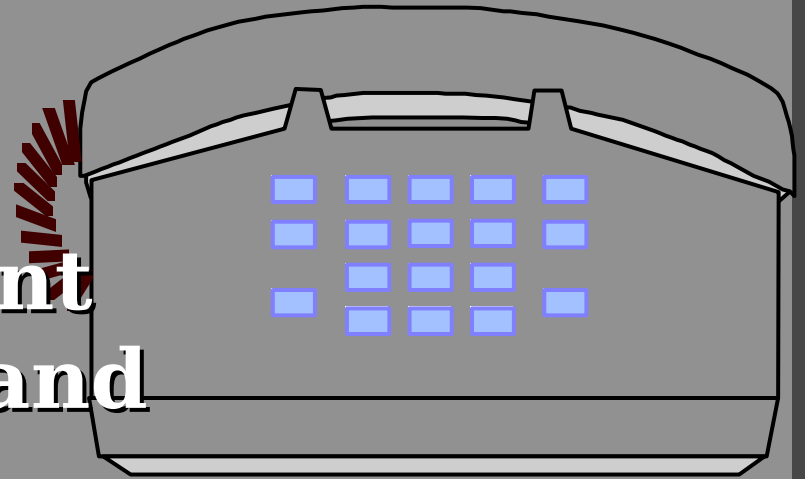
Order

- **DD1155 or SF1449**
- **Self-contained**
- **One-time contract**
- **Individual transactions limited to SAT**



Blanket Purchase Agreement

- Not a contract
- Advance agreement regarding prices and delivery terms
- Each BPA call has the same legal effect as a PO and must be funded
- Decentralizes purchasing actions



Types of Instruments

- **Requirements below the SAT:**
 - **PIIN Assignment**
 - **Imprest Fund / Third Party Drafts**
 - **SF 44**
 - **GCPC**
 - **Purchase Order**
 - **Blanket Purchase Agreement (BPA)**

Types of Instruments

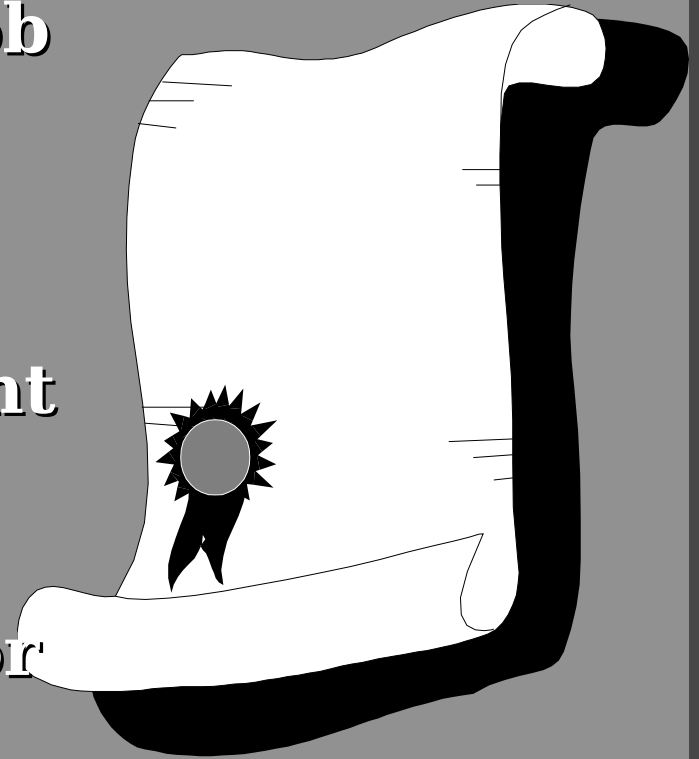
- **Requirements exceeding the SAT**
 - **Oral Solicitations**
 - **Letter contracts**
 - **Indefinite Delivery (ID) Contracts**
 - » **Indefinite quantity (IDIQ)**
 - » **Requirements contracts**

Oral Solicitations

- **FAR 15.203(f) for use of oral solicitations**
- **FAR 6.302-2 for other than full and open competition due to urgency**
- **FAR 5.202(a)(2) or (12) for waiving synopsis**
- **Requires File documentation for oral solicitations, J&A for OTF&OC, and D&F for synopsis**

Contracts

- FAR 16.603
- Gets contractor on the job quickly
- HCA approval required prior to award
- Must contain NTE amount
- Definitize before completing 40%, expending 50% of NTE, or 180 days



Indefinite Delivery

Contracts

■ Three Types

- Definite Quantity
- Indefinite Quantity
- Requirements

■ -Advantages

- Pricing is Set
- Firm-Fixed Price / Fixed Price with Economic Price Adjustment
- Consolidation of Customers' Individual PRs



Requirements

Contracts

- **Type of indefinite delivery contract**
- **No money obligated up front**
- **Individual delivery orders funded**
- **Only one source per commodity/service**
- **Contractor must perform**

Definite Quantity / Indefinite Quantity

- **Types of indefinite delivery contract**
- **Funded minimum up front**
- **Individual delivery orders funded**
- **Multiple awards per commodity/service**
- **Compete among holders or rotate**
- **No guarantee after minimum**

Delivery Order

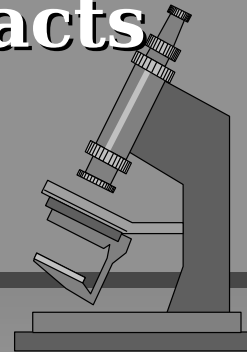
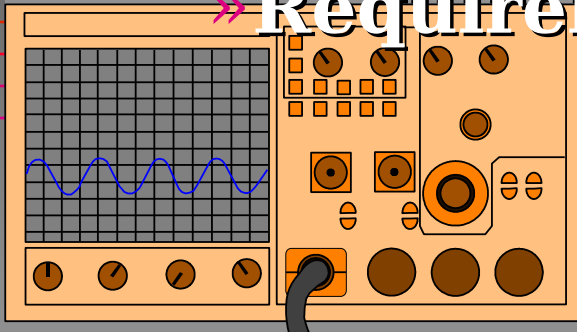
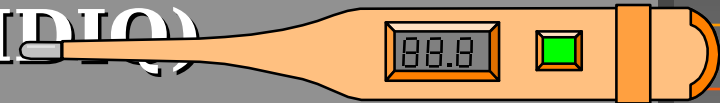
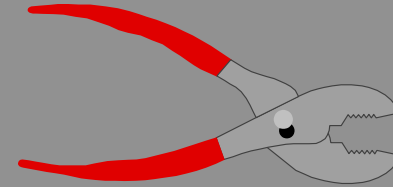
- Similar to BPA Call
- More complex products/services
- Written against indefinite delivery contracts
- Executed on SF1449 / DD1155



Types of Instruments

■ Requirements exceeding the SAT

- Oral Solicitations
- Letter contracts
- Indefinite Delivery (ID) Contracts
 - » Indefinite quantity (IDIQ)
 - » Requirements contracts



Supporting Documentation

- **Justifications and Approvals**
 - other than full and open competition, out of scope mods
- **Determinations and Findings**
 - oral solicitations, advance payments, letter contracts, waiving synopsis, ratifications
- **Equipment Lease or Purchase**



ty



- **PIIN Log**

- Every purchase!

- **DD 1057**

- Summary of purchases \$25K or less

- **DD 350**

- Individual purchases over \$25K
 - Only required for purchases over the SAT when in a declared contingency

Summary

- Application of waivers allows the CCO to complete contractual actions expeditiously
- Several vehicles available -- select the one most appropriate to the situation
- Support documentation critical to defend against auditors
- Tools for accountability ensure proper care of public funds